

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion is respectfully requested.

Claims 1-19 are pending; Claims 1, 8, and 15 are amended; and no claims are newly added or canceled herewith. It is respectfully submitted that no new matter is entered by this amendment.

In the outstanding Office Action, Claims 1-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sudo (U.S. Pat. No. 5,692,192, hereafter "the '192 patent") in view of Eilert et al. (U.S. Pat. No. 6,393,455, hereafter "the '455 patent") in view of Achenson et al. (U.S. Pat. No. 6,477,586, hereafter "the '586 patent").

Applicants thank Examiner Ali for the telephone interview granted Applicant's representative on April 6, 2005. During this interview, the outstanding rejection of Claims 1-19 under 35 U.S.C. § 103 was discussed.

As explained during the interview, independent Claims 1, 8, and 15 from which Claims 2-7 and 9-14, and 16-19 depend, have been amended to recite "a computer system for internet telephony."

At the outset, Applicants note that none of the '192 patent, '455 patent, or the '586 patent is an analogous field of art. More specifically, none of the applied references relates to internet telephony. As agreed during the interview, therefore, these references are not in an analogous field of art, as required for a rejection under 35 U.S.C. § 103. Thus, as none of the '455 patent, the '192 patent, or the '586 patent may be applied against the pending claims in the manner proposed by the outstanding Office Action, it is respectfully requested that the outstanding rejection of Claims 1-19 be withdrawn.

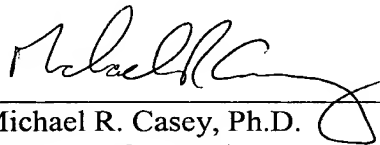
Moreover, it is respectfully submitted that there is no basis in the teachings of any of the '192 patent, the '455 patent, or the '586 patent to support the applied combination.

Certainly, the Office Action fails to cite any teachings in any of these references to provide a proper motivation for the combination. Accordingly, it is respectfully submitted that the combination of the '192 patent, the '455 patent, and the '486 patent is improperly based on hindsight reconstruction in view of the Applicant's own specification.

Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Michael R. Casey, Ph.D.  
Attorney of Record  
Registration No. 40,294

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Katherine D. Pauley  
Registration No. 50,607